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9 ALCO IRON AND METAL COMPANY, a
10 corporation, and KEM CANTOR, an individual

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BAYKEEPER,

Case No. C 05 00398

Plaintiff,

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE DATE,
ANSWER TO COMPLAINT AND ORDER**

vs.

ALCO IRON AND METAL COMPANY,
a corporation, and KEM KANTOR, an
individual,

Defendants.

THE FOLLOWING IS A STIPULATION AND AGREEMENT by and between the plaintiff BAYKEEPER, represented by Christopher A. Sproul, and defendants, ALCO IRON AND METAL COMPANY, a corporation, and KEM KANTOR, an individual, represented by Wendel, Rosen, Black & Dean LLP:

1. WHEREAS the parties to this action are currently in the process of developing a consent decree which they expect to resolve this matter and obviate the need for further litigation between the parties;
2. WHEREAS the parties to this action currently believe they will be able to present

1 a proposed consent decree to the Court for approval in the near future;

2 IT IS HEREBY STIPULATED AND AGREED:

3 1. That the date for ALCO IRON AND METAL COMPANY to submit its answer be
4 continued until July 29, 2005;

5 2. That the case management conference, currently set for July 1, 2005 be continued
6 until August 5, 2005; and

7 3. That the date for the parties to submit the joint Case Management Statement and
8 Rule 26(f) Report be continued until July 29, 2005.

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10 SO STIPULATED.

11 Dated: June 29, 2005

12 WENDEL, ROSEN, BLACK & DEAN LLP

13 By: 
14 Carita T. Shanklin
15 Attorney for Defendants
16 ALCO IRON AND METAL COMPANY,
17 a corporation, and KEM CANTOR, an
18 individual

19 Dated: June 29, 2005

20 ENVIRONMENTAL ADVOCATES

21 By: 
22 Christopher A. Sproul
23 Attorney for Plaintiff
24 BAYKEEPER

25 **ORDER**

26 PURSUANT TO STIPULATION, IT IS SO ORDERED.

27 Date: June 28, 2005

28 /s/ Maxine M. Chesney

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THE HONORABLE MAXINE M. CHESNEY